



May 24, 2012

UNITED STATES ATTORNEY

TIMOTHY J. HEAPHY

I. **Introduction**

Good morning and thank you all for being here. My name is Tim Heaphy and I am the United States Attorney for the Western District of Virginia.

We have asked you all here today to talk about a growing problem in this community - the use and abuse of synthetic drugs called “bath salts.” This issue impacts public health and safety and is unfortunately on the rise in the Staunton/Waynesboro and Augusta County areas. Our

main goal today is to deliver a frank and important message to our community about the danger presented by these drugs - a message that parents, young adults, and business owners need to hear: the sale of “Bath Salts” is often illegal and the use of these substances is extremely dangerous.

II. The Problem - Synthetic Drugs a.k.a. Bath Salts

In recent years, law enforcement officers, healthcare professionals and prevention specialists have seen an alarming increase in the number of young people abusing synthetic drugs, particularly products marketed as bath salts, plant food, and ladybug attractant.

These substances are sold under such names as:

- “Ivory Wave,”
- “White Lighting”
- “Vanilla Sky”
- “Red Dove”

- “Hurricane Charlie”
- “Tranquility”
- “Bliss,”
- “Red Dawn”

Ingestion of synthetic compounds produces effects similar to cocaine, methamphetamine, ecstasy and LSD. These substances are inexpensive and more easily obtained than “street” drugs - oftentimes sold in convenience stores, liquor stores, gas stations, and head shops right here in our community.

What many people fail to realize is that these substances are extremely dangerous to users. Users have reported physical reactions that range from nausea and headaches to heart failure and stroke. The psychological impacts are often even more serious. They include delusions, paranoia, psychosis, suicidal thoughts and violent outbursts.

Our hospitals are overrun with patients who have taken, even overdosed on these substances. Augusta Health, and other area

hospitals, have seen the number of ER visits by patients on bath salts skyrocket in previous years. Calls to Poison Control Centers throughout the country for individuals who had ingested bath salts went from **303 in 2010** to more than **5,600 in 2011**. And I hate to say it, but that number is again on the rise in 2012.

II. Two-Pronged Response to Problem

Like any emerging problem that threatens community safety, we have met the challenge of abuse of bath salts with both front and back end solutions. This issue has been and will continue to be a law enforcement priority, and prompt creative solutions from policy makers and investigators. It must also be addressed as a public health issue with robust prevention efforts. I want to talk about both prongs of this holistic approach today.

A. Enforcement

One of our lead soldiers in the fight against these illegal bath salt substances is the Drug Enforcement Administration. The DEA is

committed to fighting the bath salt problem and has taken action to make more of these substances banned completely. The law currently makes the distribution of “analogue” substances marketed for human consumption illegal if they are chemically and pharmacologically similar to a scheduled illegal substance. An “analogue” substance is one with a chemical composition similar to an illegal drug which produces similar effects when ingested by users. The DEA can immediately make these “analogue” substances illegal under federal law. These “analogue” cases can then be prosecuted in the same manner as the distribution of a scheduled illegal controlled substance.

The DEA has the statutory mandate to immediately place certain “analogue” substances on the schedule of illegal, controlled substances. This emergency authority is temporary, but it gives Congress time to evaluate whether to add the “analogue” substance to the list of permanently banned substances. The DEA has taken that step with certain bath salt compounds- adding them to the temporary list of banned

substances in October 2011.

Congress is following suit. Through the passage of the “Synthetic Drug Control Act of 2011,” the House of Representatives has approved the addition of these chemical compounds to Schedule I - the list of controlled substances. Final passage of that legislation will ensure that the DEA’s emergency act of making these drugs illegal is made permanent.

The ever growing list of scheduled controlled substances and the ability to prosecute individuals for the distribution of “analogue” drugs is crucial in combating the bath salts problem. Chemists can’t simply change their recipe slightly to avoid prosecution. The law prohibiting these drugs to evolves as quickly as those folks who are producing them. It also allows us to put those who seek to profit from selling these dangerous substances behind bars.

We’ve done just that - put “bath salts” sellers behind bars, in several recent cases in our district. One example is Lois McDaniel.

Ms. McDaniel, who worked at C-ville Video in Charlottesville, along with her co-defendants John Collier and Dustin Orange, were selling bath salts from behind the counter to make a little extra money. They were selling so much of this product that addicts would stand in line in front of the store before it opened just to buy bath salts.

They have all now pleaded guilty to conspiring to sell bath salts in federal court in Charlottesville and will be sentenced later this summer.

A little closer to home is the case of United States v. Holly Sprouse. Ms. Sprouse was from right here in Augusta Co. She was going to Maryland to buy her bath salts and bringing them back to our community to sell.

Like Lois McDaniel, Ms. Sprouse has pleaded guilty to selling these illegal substances. She has admitted to being a drug dealer, and to profiting off the addiction of others. Ms. Sprouse is already in custody. When she goes before a federal judge for sentencing later this summer, she faces a lengthy period of incarceration.

These are the cases we have done so far, but there are more to come. The investigators standing behind me have prioritized this issue and are continuing to vigorously pursue those who traffic in these dangerous synthetic substances. There are several ongoing investigations in different parts of the Western District, focused on individuals and businesses who are selling bath salts.

Our goal with these cases is to make this poison much less readily available. Many stores, some right here in Augusta County, others in Charlottesville, Harrisonburg and as far South as Roanoke, are selling these products either on their shelves or behind their counters. In some cases they are telling folks these products are legal to buy and produce the same high as other, more conventional, illegal drugs.

We are here today to put an end to that myth. These synthetic compounds are very often illegal. Under federal law, there are circumstances where they are treated just like cocaine, methamphetamine, ecstasy and other drugs.

If you are a shop owner and you think you are safe, think again. What you are doing is quite possibly illegal. We have proven it, and we will do so again. Make no mistake about it, if you are selling bath salts, we are watching you and we are coming to get you. You may be arrested. You may be convicted. You may lose your business and go to federal prison.

Myself, and the men and women behind me, are 100 percent committed to ridding this community of bath salts and those who deal in this dangerous drug.

As an example of how committed we are to ridding our communities of these substances, we are issuing an open letter to the community emphasizing not only the legality of buying and selling these substances, but also the dangerous health effects they often cause.

V. Health and Safety

As I said before, we have to augment our enforcement effort with preventive solutions. That starts with awareness of the risks posed by these synthetic drugs.

As with any drug being abused, parents and community members need to be aware of what their kids or young adults are getting into.

I met with Sheriff Fisher early today and he and his department estimate that between 30 and 40 percent of all crime in Augusta Co., that is property crime, theft, etc., is directly tied to bath salts. That is just a staggering number. It suggests that the use of these illegal synthetic drugs is widespread in Augusta County and presents an immediate threat to public safety.

It is important for parents, teachers, and concerned citizens to realize that these substances are extremely dangerous. We must be vigilant in getting the word out in the schools, churches, community groups and at home that synthetic drugs, like bath salts, are poison, plain

and simple.

They cause severe physical and psychological reactions that have lasting effects. They can even kill. We have seen deaths from bath salt overdoses and users who have been killed while under the influence of bath salts.

Luckily, here in Augusta County and the surrounding areas there are a number of groups already on the ground doing this very important prevention work: the Staunton Office on Youth and the SAW Coalition, Valley Community Services Board, Augusta Health and the local schools and clergy deserve congratulations for tackling the problem directly and with vigor.

These groups, and others, have taken an active role in educating people about the dangers of bath salts. Their important prevention work is a necessary component of our attempt to rid this community of these poisons.

VI. Conclusion

I want to be very clear to any person or business currently selling bath salts or other synthetic drugs who is watching this on TV or reading about it in the paper: What you are doing is potentially illegal and extremely dangerous. We are watching you and have every intention of bringing you to justice for your crimes.

For anyone addicted to bath salts or if you know someone who is addicted to bath salts, please, get help quickly. These drugs are dangerous and extremely addictive. Please act now. It may be the difference between life and death.

Thank you all for coming, we will now take any questions you may have.